

Joslin, Richard R - DNR

From: Joe Denil <dairydreamsjoe@gmail.com>
Sent: Wednesday, January 04, 2017 3:35 PM
To: Joslin, Richard R - DNR
Subject: Re: Dairy Dreams - Manure Spill (SERTS # 20161205NE15-1)
Attachments: 20161206_115545.jpg; 20161206_115536.jpg; 20161205_113417.jpg; 20161205_105713.jpg

Categories: WORK - Important

Spill reference: 20161205NE15-1 manure
Location: County Road D
Field Id: MN-1
Township of Brussels section 25
Farm responsible: Dairy Dreams LLC
Reported by: Joe Denil (operations manager)

On December 5 2016, the hauling crew went out to disassemble equipment in field mn1 to move to the next set up. They finished injecting that field on 12-3-16. On 12-4-16 the area received about 1-2 inches of snow that was melting. Upon arrival of crew on 12-5 they noticed a puddle of manure around the frac tank which was to be broken down to move. A safety valve that gets turned off had leaked remaining manure from tank (approximately 1000-1500 gallons). With the snow accumulation melting it carried the manure into the road ditch approximately 30 feet away and continued to travel north about 300 feet to where we stopped the flow. We brought in a load of sand to create a dam at that point and also at the field. I called in DeBroux Custom (who is contracted to haul our liquid manure) and he sent his vaccum truck up and started to suck all manure out of ditch and field. He also brought with a semi load of clean tap water with an attached pump to rinse the area clean. We vaccumed the manure with melted snow all the way back to the source first. We then set vaccum truck up at dam point and started to wash the grass pushing it to the vaccum truck. All recovered liquid was hauled back to the dairy and put into storage. We used 5000 gallons of water to rinse spill site. The vaccum truck recovered 7500 gallons total. 1000-1500 of manure, 5000 gallons of tap water used to rinse site and about 1000 of melted snow. The tank that leaked was taken back to the shop to be evaluated and fixed right away (the internal linkage was broke so when the valve was closed the knife portion didn't slide with the handle so it appeared close but was not). After the clean up was done we bedded the suction area with straw. Attached are pictures of spill and clean along with valve repair.

Dairy Dreams operation manager
Joe Denil 920 495 0267
Ryan DeBroux 920 655 4517

Any questions please call.

On Dec 7, 2016 8:55 AM, "Joslin, Richard R - DNR" <Richard.Joslin@wisconsin.gov> wrote:

Joe

Please find attached a Responsible Party Packet for the manure spill that occurred on County Road D Forestville, Wisconsin. The spill was reported to the WDNR at approximately 14:37 on December 5, 2016.

Based on our conversation, approximately 1,500 gallons of manure was lost due to equipment failure. When we talked you stated that the spill was cleaned up using a vacuum truck and over 4,000 gallons to flush the ditch.

Please review the material attached and call myself with any questions. Please note that a report needs to be submitted to the Wisconsin Department of Natural Resources within **45 days** of the spill incident. The report should include information (i.e., what happened, where it happened, how it was fixed, what remedial activities were performed, etc.) to document spill response activities that occurred. Please also include an accurate map indicating where the spill occurred.

The report should be sent to:

Rick Joslin

Remediation and Redevelopment Program

Wisconsin Department of Natural Resources

2984 Shawano Avenue

Green Bay, WI 54313

richard.joslin@wisconsin.gov

I also attached several documents related to manure spills. Please review them and keep them for your files for future reference.

If you have any questions do not hesitate to contact me.

Thank you for your cooperation with this matter!

Rick

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Richard R. Joslin

Hydrogeologist – Remediation & Redevelopment Bureau

Wisconsin Department of Natural Resources

2984 Shawano Avenue, Green Bay WI 54313-6727

Phone: [\(920\) 662-5165](tel:(920)662-5165)

Cell Phone: [\(920\) 360-4291](tel:(920)360-4291)

Richard.Joslin@Wisconsin.gov



dnr.wi.gov













Dairy Dreams - Manure Spill



Legend

- Open Site (ongoing cleanup)
- Open Site Boundary
- Closed Site (completed cleanup)
- Closed Site Boundary
- Groundwater Contamination
- Soil Contamination
- Groundwater and Soil Contamination
- Contamination from Another Property
- Dryclean Environmental Response Fund (DERF)
- Green Space Grant (2004-2009)
- Ready for Reuse
- Site Assessment Grant (2001-2009)
- State Funded Response
- Sustainable Urban Development Zone (SUDZ)
- General Liability Clarification Letters
- Superfund NPL
- Voluntary Party Liability Exemption
- Rivers and Streams
- Open Water
- Municipality
- State Boundaries
- County Boundaries
- Major Roads
 - Interstate Highway
 - State Highway
 - US Highway

Notes

Red Dot: Spill Location
WTM: 716517, 472667

0.3 0 0.13 0.3 Miles

NAD_1983_HARN_Wisconsin_TM

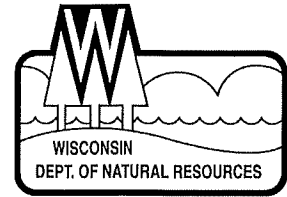
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1: 7,920



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Note: Not all sites are mapped.



December 7, 2016

Dairy Dreams LLC
Attn: Joe Denil
3576 Cardinal Road
Casco, WI 54205

Spill Reference: 20161205NE15-1 Manure

Date of Spill: 12/5/2016

Dear Mr. Denil:

The Wisconsin Department of Natural Resources ("Department") was notified that a hazardous substance spill occurred on the date and location referenced above. You have received this correspondence because based on the available information the Department believes you are responsible for addressing the hazardous substance spill under Section 292.11 Wisconsin Statutes. Wisconsin Statute 292.11(3) states:

"A person who possesses or controls a hazardous substance which is discharged or who causes the discharge of a hazardous substance shall take the actions necessary to restore the environment to the extent practicable and minimize the harmful effects from the discharge to the air, lands, or waters of the state."

Note, s.292.01(5)Wis.Stats., "Hazardous substance" means any substance or combination of substances including any waste of a solid, semisolid, liquid or gaseous form, which may cause or significantly, contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or which may pose a substantial present or potential hazard to human health or the environment because of its quality, concentration, physical, chemical or infectious characteristics. This term includes, but is not limited to, substances that are toxic, corrosive, flammable, irritants, strong sensitizers or explosives as determined by the department.

Further, s.292.11(3)Wis. Stats., "Discharge" means, but is not limited to spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

This letter describes the legal responsibilities of a person who is responsible under Section 292.11 Wisconsin Statutes, the spill law, and explains what you need to do clean up the spilled material and "minimize the harmful effects" of any remaining contamination. A description of general spill response procedures and lists of treatment and disposal facilities are attached. You have **45 days** from the time the spill was reported to complete this task and send us documentation and proof of what you did to comply.

See NR 708 Wisconsin Admin. Code: <http://www.legis.state.wi.us/rsb/code/nr/nr708.pdf> for detailed response requirements. More information on the Spill Program and Spill Response is available at the Department internet site: <http://dnr.wi.gov/topic/spills/>.

The Department recommends you obtain the services of an environmental contractor and/or consultant who can properly manage this clean-up and knows how to help you to comply with the law. A list of environmental consultants and spill contractors that respond to spills is attached to this letter. A more complete list is available at <http://dnr.wi.gov/files/PDF/pubs/rr/RR024.pdf>. Environmental consultants and contractors can also be located through the internet and local phone directory.

Based on the information available about the spill and the actions taken by you to clean up the spill, the Department will determine if further investigation or cleanup is necessary. Do not wait for Department approval to take appropriate action, but do contact us if you have questions or need other assistance. If you want a formal written response from us for a specific submittal, please be aware that a review fee is required in accordance with ch. NR 749, Wis. Adm. Code.

It is important that you keep the Department informed of your actions to clean up this spill. We prefer to work cooperatively with people to work through these events and get these projects done. Please know that failure to provide documentation of your actions is a violation of Wisconsin Administrative Code requirements and may result in enforcement actions against you. Please send all correspondence to DNR NER Spills Coordinator at the address on the above letterhead.

The Department appreciates your quick action to initial actions to address this situation. If you have any questions regarding this notification or Wisconsin's requirements for spill cleanup, please contact myself or Ted Amman at 608-215-9648 or Theodore.Amman@wisconsin.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard P. Loh".

NER Spill Coordinator (acting)
Wisconsin Department of Natural Resources